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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/659,653

09/09/2003

Francoise Le Bolzer

PF020108

3654

24498

7590

11/17/2004

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EXAMINER

DINH, TRINH VO


ART UNIT

PAPER NUMBER

2821

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/659,653	LE BOLZER ET AL.	
	Examiner	Art Unit	
	Trinh Vo Dinh	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                                 |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                            | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/09/2003</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet. Therefore, the abstract is required to limit to a single paragraph and the phrase "Fig. 4" should be deleted.

### ***Information Disclosure Statement***

2. The Examiner has crossed out the French Search Report listed under Other documents because the report is not qualified for a reference. However, the references listed under the report have been considered by the Examiner.

### ***Claim Objections***

3. Claims 2-5 are objected to because of the following informalities:

In claims 2-5, "Antenna" should be changed to --The antenna--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted

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on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Arun, Chandra Kundy (JP 2001-203513 A).

Chandra Kundy discloses, in Figs. 6 or 11, dielectric resonator antenna (abstract) comprising a block of dielectric material (abstract), said block having a first face (the upper face 61) intended to be mounted on an earth plane and covered with a metallic layer (abstract), wherein at least one second face (64) perpendicular to the first face (61) covered with a metallic layer (66) over a width less than the width of the second face and over a height less than or equal to the height of the second face. Arun, Chandra Kundy further discloses the metallic layer (66) covering the second face (64) is centred with respect to the width of the said second face.

6. Claims 1, and 3-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Herve et al (US 6,304,220 B1).

Herve discloses, in Fig. 1, dielectric resonator antenna (2) comprising a block of dielectric material (Fig. 1), said block having a first face (A) intended to be mounted on an earth plane and covered with a metallic layer (col. 4, lines 47-52 and Fig. 1), wherein at least one second face (the face perpendicular to A) perpendicular to the first face (A) covered with a metallic layer (EH or EH, col. 4, lines 47-52) over a width less than the width of the second face and over a height less than or equal to the height of the second face.

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With respect to claims 3 and 4, Herve discloses the metallic layer (EL or EH) covering the second face being extended via a metallic layer (EH or EH on face E) covering a third face (E) parallel to the first face (A), and the metallic layer (EL or EH) covering the third face (E) stretching over a width less than the length of the third side.

7. Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Arun, Chandra Kundy (JP 2001-257503).

With respect to claim 1, Chandra Kundy discloses, in Figs. 4 or 6, dielectric resonator antenna (40, 41 in abstract) comprising a block of dielectric material (400, 410), said block having a first face (401) intended to be mounted on an earth plane and covered with a metallic layer (abstract), wherein at least one second face (404) perpendicular to the first face (401) covered with a metallic layer (404) over a width less than the width of the second face and over a height less than or equal to the height of the second face.

8. Claims 1, 3 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Kundu et al (US 6,621,381 B1).

With respect to claim 1, Kundu discloses, in Fig. 15, dielectric resonator antenna (abstract) comprising a block of dielectric material (1500), said block having a first face (the face has layer 1501) intended to be mounted on an earth plane and covered with a metallic layer (col. 15, lines 30-49), wherein at least one second face (the face has metal portion 1502b) perpendicular to the first face covered with a metallic layer (1502b, col. 15, lines 55-59) over a width less than the width of the second face and over a height less than or equal to the height of the second face. Kundy further

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discloses the metallic layer (46) covering the second face (64) is centred with respect to the width of the said second face.

With respect to claims 3 and 5, Kundu discloses the metallic layer (1502b) covering the second face being extended via a metallic layer (1502, col.5, lines 55-67) covering a third face (the face has layer 1502) parallel to the first face (face of layer 1501), and the width of the metallic layer (1502) covering the third layer being different from the width of the metallic layer (1502b) covering the second layer.

9. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Heinrichs et al (US 6,323,824 B1 submitted by the Applicant in IDS filed 09/09/2003).

With respect to claims 1-2, Heinrichs discloses, in Fig. 3, dielectric resonator antenna (4) comprising a block of dielectric material (Fig. 3), said block having a first face (upper face in Fig. 3) intended to be mounted on an earth plane and covered with a metallic layer (5, col. 3, lines 25-26), wherein at least one second face (the face with metal layer 6) perpendicular to the first face covered with a metallic layer (6, col. 3, lines 25-42) over a width less than the width of the second face and over a height less than or equal to the height of the second face. Kundyu further discloses the metallic layer (6) covering the second face being centred with respect to the width of the said second face.

### *Inquiry*

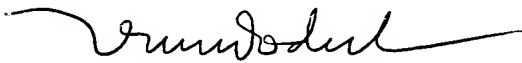
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh Vo Dinh whose telephone number is (571) 272-1821. The examiner can normally be reached on Monday to Friday from 9:30AM to 6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Trinh Vo Dinh  
November 15, 2004*